

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

Criminal File No. 11-295 (MJD/LIB)

ROBERT JOSEPH DOWNWIND,

Defendant.

Deidre Y. Aanstad, Assistant United States Attorney, Counsel for Plaintiff.

Manny K. Atwal, Office of the Federal Defender, Counsel for Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated October 24, 2011. [Docket No. 28.] Defendant Robert Joseph Downwind filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the

Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Brisbois dated October 24, 2011.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**

HEREBY ORDERED:

1. The Court **ADOPTS** Magistrate Judge Leo I. Brisbois's Report and Recommendation dated October 24, 2011 [Docket No. 28].
2. Defendant Robert Joseph Downwind's Motion to Suppress Evidence Obtained as a Result of Search and Seizure [Docket No. 14] and Motion to Suppress Eyewitness Identifications [Docket No. 19] are **DENIED**.

Dated: January 8, 2012

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court